

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

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APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

Application is hereby made to transfer the permit to commence large mining operations for the  
CMC Point West mine, permit # M/035 /0042, currently  
operated by CMC Rock LLC (transferor)  
to Staker Parson Companies (transferee).

As used herein, TRANSFEROR refers to the current operator; TRANSFeree refers to the  
proposed new operator; NOI refers to the Notice of Intention to Commence Large Mining  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.

RECEIVED

FEB 14 2011

Div. of Oil, Gas & Mining

m0350042  
TaskID# 3988  
cc: Leslie

The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

CMC Rock, LLC  
Operator/Transferor Name  
By Todd Cusick  
Name of Authorized Officer (Typed or Printed)  
president  
Title of Authorized Officer  
Todd Cusick 2-10-11  
Officer's Signature Date

STATE OF UTAH)  
) ss:  
COUNTY OF SALT LAKE)

On the 10<sup>th</sup> day of FEBRUARY, 20 11, TODD CUSICK  
personally appeared before me, who being by me duly sworn did say that he/she is  
an PRESIDENT (owner, officer, director, partner, agent or other (specify))  
of the Operator CMC Rock LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Brad A. Adams  
Notary Public

858 S. 500 E. PAYSON, UT 84651  
Residing at

7/8/2013  
My Commission Expires:





The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

Staker Parson Companies

Operator/Transferor Name

By Scott Parson

Name of Authorized Officer (Typed or Printed)

President/CEO Staker Parson Companies

Title of Authorized Officer

Officer's Signature

Date

STATE OF Utah )  
 ) ss:  
COUNTY OF Weber )

On the 24<sup>th</sup> day of February 20 11, Scott Parson  
personally appeared before me, who being by me duly sworn did say that he/she is  
an President/CEO (owner, officer, director, partner, agent or other (specify))  
of the Operator Staker Parson Co's  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Annette E. Edwards  
Notary Public

2350 S. 1900 W. Ogden UT 84401  
Residing at

7/14/2014  
My Commission Expires:





E-mail Address: \_\_\_\_\_



**If Business is a Corporation:**

Name of Officers: Scott Parson Title: President  
Jared Hyde Title: Treasurer  
John Parson Title: Director  
\_\_\_\_\_  
Corporate Address: P.O.Box 3429  
City, State, Zip: Ogden, UT 84409  
Phone: 801-731-1111 Fax: 801-731-8800  
E-mail Address: www.stakerparson.com

**If Business is a Limited Liability Company: Member Managed \_\_\_\_\_ Manager Managed \_\_\_\_\_**

Name of 1<sup>st</sup> Member/Manager: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

2nd Member/Manager: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**2. Contacts:**

**This person may be notified for: permitting ☒ surety ☒ Notices ☒**  
**(please check all that apply)**

Name: Mike Dalley Title: Environmental Advisor  
Address: 224 North 2200 West, Suite 100  
City, State, Zip: Salt Lake City, UT, 84116  
Phone: 801-258-3900 Fax: 801-428-0112  
Emergency, Weekend, or Holiday Phone: 801-455-7577  
E-mail Address: mdalley@stakerparson.com

**This person may be notified for: permitting \_\_\_\_\_ surety \_\_\_\_\_ Notices \_\_\_\_\_**  
**(please check all that apply)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Emergency, Weekend, or Holiday Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Registered Utah Agent (as identified with the Utah Dept of Commerce) (if individual leave blank):**

Name: C T Corporation System Title: Registered Agent  
Address: 136 East South Temple, Suite 2100  
City, State, Zip: Salt Lake City, UT, 84111  
Phone: 801-364-5101 Fax: \_\_\_\_\_  
E-mail Address: www.ctadvantage.com

**3. Certification:**

**This certification must be signed by:**

- (1.) an executive officer if the applicant is a corporation;
- (2.) a partner if applicant is a partnership (general or limited);
- (3.) the owner if applicant is a sole proprietorship;
- (4.) the member or manager if applicant is a limited liability company; or
- (5) the individual if the applicant is filing as an individual:

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. CMC Rock LLC (transferor), has provided a copy of the approved mining and reclamation plan. I will follow the approved mining and reclamation plan until such time that I provide the Division with an amended Notice of Intention (plan) and receive approval of the amended Notice; AND
- b. I commit to the reclamation of the aforementioned large mining operation as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature: \_\_\_\_\_

*Scott Parson*

Date: \_\_\_\_\_

*2/4/11*

Name (typed or printed): \_\_\_\_\_

Scott Parson

Title/Position (if applicable): \_\_\_\_\_

President/CEO Staker Parson Companies